

In re Appln. of Hardee, et al.
Application No. 09/991,603

REMARKS

Reconsideration of the application is respectfully requested. An Office action dated April 21, 2005 is presently pending in the application. Claims 28-63 are pending in the application.

New Claims 28-63

Claims 1-21 of the application have been cancelled, and new Claims 28-63 have been added. Claim 28 is directed to a method of constructing a corner in a tent, a canopy, or a tarpaulin and includes, *inter alia*, attaching two portions of a first sheet of fabric material so as to form a three-dimensional corner, turning the three-dimensional corner inside out, and extending a second sheet of fabric material over an interior portion of the inverted corner so as to cover at least a portion of a seam.

None of the prior art references discloses, suggests or makes obvious the method of Claim 28. In previous Office actions, a number of different combinations of references have been used for some of the acts set forth in Claim 28. Specifically, U.S. Patent Number 5,083,644 to Collins, III is cited as performing the inversion function. *Collins* is directed to a briefcase cover, and is not relevant to formation of tarpaulins, tents, or canopies. Moreover, nothing in *Collins* suggests covering seams after a corner is turned inside out. Previously, U.S. Patent Number 6,154,884 to Dehner has been cited as disclosing this act. However, *Dehner* is directed to waders. Again, waders are not relevant to the construction of tents, tarpaulins, or canopies. Moreover, although the reference discloses the use of sealing tape, there is no teaching in that reference of using sealing tape at an inverted corner (or in any corner, for that matter). Finally, there is no motivation to combine the teachings of *Dehner* and *Collins*. For at least the foregoing reasons, Claim 28 should be allowed.

New Claim 42 is directed to a method of constructing a corner in a tent, a canopy, or a tarpaulin, including, *inter alia*, attaching two portions of a two layer fabric material so as to form a three-dimensional corner, the two layer fabric material having a first layer of fabric material extending against a second layer of fabric material, and turning the three-dimensional corner inside

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out to form an inverted three-dimensional corner wherein the second layer of fabric material extends over an exterior portion of the three-dimensional corner.

A claim similar to Claim 42 was previously rejected in view of U.S. Patent Number 2,569,627 to Black. *Black*, however, is directed to a fitted sheet, and is not relevant to tent or canopy floor tubs. New Claim 42 directed to a method of forming a corner in a floor tub of a tent or a canopy, to which the fitted sheet in *Black* is not relevant. Moreover, Claim 42 includes attaching walls of the tent or canopy to the floor tub, not shown or described by *Black*. The Office action asserts that "whether desired" the fitted sheet of *Black* may be turned inside out. Such a random act is not described or suggested by *Black*. Moreover, even if someone were to perform such an act, doing so for a tent or canopy floor tub and then attaching walls is certainly not obvious in view of an inside-out fitted sheet. Thus, Applicants submit that Claim 42 is not anticipated, suggested, or made obvious by the prior art references of record.

New Claim 56 includes, *inter alia*, the attaching step of Claim 42, and also includes sealing a second sheet of fabric material to an interior of the inverted, three-dimensional corner. Again, this method is not shown or made obvious by the prior art.

For the sake of clarity, the independent claims of the application are discussed in this Amendment. Applicants submit that the independent claims are allowable, and therefore the dependent claims are allowable at least because they are dependent upon allowed claims. Nevertheless, Applicants submit that the other dependent claims further define subject matter not shown or made obvious by the prior art.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the Claims define patentable subject matter, and that the application is in good and proper condition for allowance. Such action is respectfully solicited.

If the foregoing does not result in a Notice of Allowance in the application, Applicants earnestly solicit the Examiner to call the undersigned at 206-521-5984.

Respectfully submitted,



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